

IN THE UNITED STATES COURT OF APPEALS FOR
THE DISTRICT OF COLUMBIA CIRCUIT

STATE OF TEXAS,

Rick Perry, Governor of Texas)
Greg Abbott, Attorney General)
of Texas)
Texas Commission on)
Environmental Quality)
Texas Agriculture Commission)
Barry Smitherman, Chairman of)
the Texas Public Utility)
Commission)

Petitioners)

Case No.

v.)

UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY)

Respondent)
)

PETITION FOR REVIEW

Pursuant to section 307 of the Clean Air Act, 42 U.S.C. § 7607(b)(1), and sections 702 and 704 of the Administrative Procedure Act, 5 U.S.C. §§ 702 and 704, the State of Texas et al. file this Petition for Review. The State of Texas et al. seek review of the final action of the United States Environmental Protection Agency (the “EPA”) published in the Federal Register at 74 Fed. Reg. 66,496 et seq. (Dec. 15, 2009) and titled “Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act, Final Rule.” Today, the State of Texas et al are also filing a

Petition for Reconsideration with the EPA, Docket Number EPA-HQ-OAR-2009-0171.

A copy of the Petition for Reconsideration is attached hereto.

Respectfully submitted,

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ATTORNEY FOR PETITIONERS

CERTIFICATE OF SERVICE

I certify that on February 16, 2010, I served the foregoing Petition for Review on Respondent by certified mail and hand delivery in accordance with the Federal Rules of Appellate Procedure and the Circuit Rules of the United States Court of Appeals for the District of Columbia Circuit.

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